

does not jeopardize the prosecution by any means. As a matter of fact, one of the best prosecutors in the state says that they need this standard for purposes of making sure that it is dealt with so that convictions that currently are had aren't overturned in the future. Again, I would urge you to advance the bill to E & R for engrossing and hope you will support that advancement. Thank you.

SENATOR CROSBY: Thank you, Senator Hall. Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President and members. A few minutes ago Senator Pirsch mentioned that there was just one county attorney that supported this and that's all there was and so it doesn't have widespread support and I think Senator Hall touched on that that's a little bit more in dispute. I think we have to know the background of what happened here. First of all, the prosecutor that did testify was Sam Cooper. I don't think you can pooh-pooh what the guy does. The guy is a heck of a prosecutor and probably the best prosecutor in the state. The guy gets convictions. He knows criminal law, he knows what is going on. As a matter of fact, if I'm not incorrect, I think Senator Kristensen had Sam Cooper out there assisting him on one of his first capital cases because of the fact that he is respected. The guy knows what he is doing. He testified in support of it, he doesn't see the parade of horrors that some of the others do. Number two, Bob Sigler was down there. Bob is also a very highly respected prosecutor. He also gets a lot of convictions. He also supported the bill. Number three, before any agreement was made Gary Lacey, the county attorney in Lancaster County was consulted. Gary Lacey says, yes, I agree with that. Bottom line is, there is widespread support. There is support from a wide variety of people who deal with this on a day to day basis, who would know whether they need to have what sort of standard in order to get convictions and they have said this bill is acceptable. As a matter of fact, Mr. Cooper's suggestion was he fears not having it. He fears not getting a standard in place simply because with the...with district court's ruling in different directions on which way, what our standard is, that you're actually going to have reversals of convictions that we get right now. His fear, one of his motivating fears was that we will actually get convictions reversed without passage of this bill. We'd like to portray this as a coddling criminal sort of a bill, but that's not the case. The fact is in this country you've got to offer fair trials. It's kind of a bummer I know to some people but we do